

2013 DRAFTING REQUEST

Bill

Received:	12/3/2012	Received By:	mkunkel
Wanted:	As time permits	Same as LRB:	
For:	Administration-Budget	By/Representing:	Bong
May Contact:		Drafter:	mkunkel
Subject:	Public Util. - misc.	Addl. Drafters:	
		Extra Copies:	EVM

Submit via email: YES
Requester's email:
Carbon copy (CC) to:

Pre Topic:

DOA:.....Bong, BB0270 -

Topic:

Utility public benefits allocation

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 12/3/2012			_____			
/P1	mkunkel 1/30/2013	csicilia 12/4/2012	phenry 12/4/2012	_____	sbasford 12/4/2012		State
/P2		csicilia 1/31/2013	phenry 1/31/2013	_____	lparisi 1/31/2013		State

FE Sent For:

<END>

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	12/3/2012						

/P1	csicilia	phenry		sbasford			State
	12/4/2012	12/4/2012	1/31	12/4/2012			

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/P2 js 1/31
1/3

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/?	mkunkel	plgs 12/4 12		174 phgm			

FE Sent For:

<END>

Kunkel, Mark

From: Hanaman, Cathlene
Sent: Monday, December 03, 2012 9:11 AM
To: Kunkel, Mark; Gallagher, Michael
Subject: FW: Statutory Language Drafting Request - BB0270

From: SashaE.Bong@wisconsin.gov [<mailto:SashaE.Bong@wisconsin.gov>]
Sent: Monday, December 03, 2012 8:56 AM
To: Hanaman, Cathlene
Cc: Kraus, Jennifer - DOA; Bong, Sasha E - DOA; Thornton, Scott - DOA
Subject: Statutory Language Drafting Request - BB0270

Biennial Budget: 2013-15

DOA Tracking Code: BB0270

Topic: Utility Public Benefits Allocation

SBO Team: GGCF

SBO Analyst: Bong, Sasha - DOA
Phone: (608) 266-5468
E-mail: SashaE.Bong@wisconsin.gov

Agency Acronym: DOA

Agency Number: 505

Priority: Medium

Intent:

Modify s. 16.957 (2)(a) so that an amount equal to 50 percent is spent for weatherization and other energy conservation services and s. 16.957 (2)(a)1. is not included in determining the amount to be spent on weatherization and other energy conservation services.

Attachments: False

Please send completed drafts to statlanguage@wisapps.wi.gov



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0694/P1

MDK:.....

O-note

gjs

DOA:.....Bong, BB0270 - Utility public benefits allocation

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

12-3

Do NOT Gen

percent

1 **AN ACT ...; relating to: the budget.**

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, DOA administers a program for making grants from the utility public benefits fund (**UPBF**) to provide assistance to low-income households for: 1) weatherization and other energy conservation services (weatherization and conservation assistance); and 2) payment of energy bills and early identification or prevention of energy crises (bill and crisis assistance). In each fiscal year, DOA must ensure that the amount spent under the program on grants for weatherization and conservation assistance is equal to 47 percent of a sum that is calculated for the fiscal year. As a result, 53 percent of the sum is available to be spent on grants under the program for bill and crisis assistance. This bill requires instead that 50% of the sum must be spent on grants for weatherization and conservation assistance and 50% on grants for bill and crisis assistance.

The bill also changes how the sum is calculated. Under current law, the sum is calculated by adding the following items for a fiscal year: 1) the amounts received under certain federally funded weatherization and energy-assistance programs; 2) the amount spent by certain electric and natural gas utilities on assistance to low-income households; 3) the amount spent on all programs funded by the UPBF; and 4) the amount of monthly low-income assistance fees that certain municipal electric utilities and electric retail cooperatives are required to collect from their

under the program

customers and members. This bill excludes from the calculation the first item pertaining to federal funding. The bill also eliminates DOA's authority to reduce the amount spent in fiscal year 2012-13 on grants for weatherization and conservation assistance by an amount that is based on the amount of the federal funding for that fiscal year.

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 16.957 (1) (gg) of the statutes is repealed.

SECTION 2. 16.957 (2) (a) (intro.) of the statutes is amended to read:

16.957 (2) (a) *Low-income programs.* (intro.) After holding a hearing, establish programs to be administered by the department for awarding grants from the appropriation under s. 20.505 (3) (r) to provide low-income assistance. In each fiscal year, the amount awarded under this paragraph shall be sufficient to ensure that an amount equal to 47% 50% of the sum of the following ~~or the amount determined under par. (d) 2m.,~~ is spent for weatherization and other energy conservation services:

History: 1999 a. 9; 2001 a. 16, 30; 2003 a. 33; 2005 a. 141; 2007 a. 20; 2009 a. 11, 28; 2011 a. 32.

SECTION 3. 16.957 (2) (a) 1. of the statutes is repealed.

SECTION 4. 16.957 (2) (d) 2m. of the statutes is repealed.

(END)

1 - note

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0694/P1dn

MDK:/:....

cjs

- Late -

Sasha Bong:

I assume that you want to repeal ss. 16.957 (1) (gg) (definition of "excess federal amount") and 16.957 (2) (d) 2m. (allowing DOA to reduce grants by an amount based on the excess federal amount). If I'm wrong, let me know and I will revise the draft.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0694/P1dn
MDK:cjs:ph

December 4, 2012

Sasha Bong:

I assume that you want to repeal ss. 16.957 (1) (gg) (definition of "excess federal amount") and 16.957 (2) (d) 2m. (allowing DOA to reduce grants by an amount based on the excess federal amount). If I'm wrong, let me know and I will revise the draft.

Mark D. Kunkel
Senior Legislative Attorney
Phone: (608) 266-0131
E-mail: mark.kunkel@legis.wisconsin.gov

Kunkel, Mark

From: Bong, Sasha E - DOA <SashaE.Bong@wisconsin.gov>
Sent: Tuesday, January 29, 2013 4:01 PM
To: Kunkel, Mark
Subject: RE: BB0270 (LRB 0694/P1)

Yes, your suggested clarification is consistent with the intent behind modifying s. 16.957(2)(a)3.

Thanks,

Sasha

From: Kunkel, Mark [<mailto:Mark.Kunkel@legis.wisconsin.gov>]
Sent: Tuesday, January 29, 2013 3:02 PM
To: Bong, Sasha E - DOA
Subject: RE: BB0270 (LRB 0694/P1)

Sasha:

Your 2nd modification below refers to all moneys collected for programs established under s. 16.957 (2) (a) (i.e., low income assistance programs). Can we clarify your language to refer instead to the moneys collected in low income assistance fees under s. 16.957 (4) (a)? Those are the fees that non-municipal utilities are required to collect from their customers and pay over to DOA for deposit in the utility public benefits fund.

The above clarification would be consistent with s. 16.957 (2) (a) 4., which refers to the moneys collected in low income assistance fees under s. 16.957 (5) (a), and those are the fees that municipal utilities and retail cooperatives (MUs and RCs) are required to collect from their customers and members. Note that, although MUs and RCs are required to collect the fees, they are allowed to determine how much to keep for their own programs and how much to contribute to DOA for deposit in the utility public benefits fund. Also, as I read s. 16.957 (2) (a) 4., it refers to all of the fees that MUs and RCs collect, even those that they do not contribute to DOA.

I'm worried that if you refer in s. 16.957 (2) (a) 3. to all moneys collected for low income assistance programs, you might be double-counting the moneys contributed by MUs and RCs for those programs, which are already counted under s. 16.957 (2) (a) 4.

Is my suggested clarification consistent with your intent? If have questions, or I haven't explained this well enough, please give me a call.

--Mark

From: Bong, Sasha E - DOA [<mailto:SashaE.Bong@wisconsin.gov>]
Sent: Tuesday, January 29, 2013 9:08 AM
To: Kunkel, Mark
Subject: BB0270 (LRB 0694/P1)

Mark,

I have a few changes for BB0270 (Utility public benefits allocation):

- ✓ Modify s. 16.957(2)(a) so that 50 percent of the sum of s. 16.957(2)(a)2., 3., and 4. are allocated, not spent, for weatherization and other energy services.

- Modify s. 16.957(2)(a)3. so the 50/50 allocation includes all moneys collected (not spent) for programs established under the paragraph.

Related to your note, your assumption about ss. 16.957(1)(gg) and 16.957(2)(d)2m is correct.

Thanks,

Sasha



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0694/P1

MDK:cjs:ph

P2

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DOA:.....Bong, BB0270 - Utility public benefits allocation

FOR 2013-2015 BUDGET - NOT READY FOR INTRODUCTION

RM has been reviewed

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which results in allocating

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, DOA administers a program for making grants from the utility public benefits fund to provide assistance to low-income households for: 1) weatherization and other energy conservation services (weatherization and conservation assistance); and 2) payment of energy bills and early identification or prevention of energy crises (bill and crisis assistance). In each fiscal year, DOA must ensure that the amount spent under the program on grants for weatherization and conservation assistance is equal to 47 percent of a sum that is calculated for the fiscal year. As a result, 53 percent of the sum is available to be spent on grants under the program for bill and crisis assistance. This bill requires instead that 50 percent of the sum must be spent on grants for weatherization and conservation assistance and 50 percent on grants for bill and crisis assistance.

The bill also changes how the sum is calculated. Under current law, the sum is calculated by adding the following items for a fiscal year: 1) the amounts received under certain federally funded weatherization and energy-assistance programs; 2) the amount spent by certain electric and natural gas utilities on assistance to low-income households; 3) the amount spent under the program; and 4) the amount of monthly low-income assistance fees that certain municipal electric utilities and electric retail cooperatives are required to collect from their customers and members. This bill excludes from the calculation the first item pertaining to federal funding.

allocated for

for

INSERT 1A

For further information see the **state** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 16.957 (1) (gg) of the statutes is repealed.

SECTION 2. 16.957 (2) (a) (intro.) of the statutes is amended to read:

16.957 (2) (a) *Low-income programs.* (intro.) After holding a hearing, establish programs to be administered by the department for awarding grants from the appropriation under s. 20.505 (3) (r) to provide low-income assistance. In each fiscal year, the amount awarded under this paragraph shall be sufficient to ensure that an amount equal to 47% 50% of the sum of the following, or the amount determined under par. (d) 2m., is spent for weatherization and other energy conservation services:

SECTION 3. 16.957 (2) (a) 1. of the statutes is repealed.

SECTION 4. 16.957 (2) (d) 2m. of the statutes is repealed.

(END)

IN SEAT 2-10

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0694/P2ins
MDK:.....

INSERT 1A:

The bill also replaces the third item with the amount of monthly low-income assistance fees that nonmunicipal electric utilities are required to collect from their customers.

INSERT 2-10:

SECTION 1. 16.957 (2) (a) 3. of the statutes is amended to read:

16.957 (2) (a) 3. All The moneys spent in a fiscal year on programs established under this paragraph collected in low-income assistance fees under sub. (4) (a).

History: 1999 a. 9; 2001 a. 16, 30; 2003 a. 33; 2005 a. 141; 2007 a. 20; 2009 a. 11, 28; 2011 a. 32.



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0694/P2
MDK:cjs:ph

DOA:.....Bong, BB0270 - Utility public benefits allocation

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to: the budget.**

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

OTHER STATE GOVERNMENT

Under current law, DOA administers a program for making grants from the utility public benefits fund to provide assistance to low-income households for: 1) weatherization and other energy conservation services (weatherization and conservation assistance); and 2) payment of energy bills and early identification or prevention of energy crises (bill and crisis assistance). In each fiscal year, DOA must ensure that the amount spent under the program on grants for weatherization and conservation assistance is equal to 47 percent of a sum that is calculated for the fiscal year. As a result, 53 percent of the sum is available to be spent on grants under the program for bill and crisis assistance. This bill requires instead that 50 percent of the sum must be allocated for spent on grants for weatherization and conservation assistance, which results in allocating 50 percent for grants for bill and crisis assistance.

The bill also changes how the sum is calculated. Under current law, the sum is calculated by adding the following items for a fiscal year: 1) the amounts received under certain federally funded weatherization and energy-assistance programs; 2) the amount spent by certain electric and natural gas utilities on assistance to low-income households; 3) the amount spent under the program; and 4) the amount of monthly low-income assistance fees that certain municipal electric utilities and

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SECTION 3. 16.957 (2) (a) 1. of the statutes is repealed.

SECTION 4. 16.957 (2) (a) 3. of the statutes is amended to read:

16.957 (2) (a) 3. All ~~The~~ moneys spent in a fiscal year on programs established under this paragraph collected in low-income assistance fees under sub. (4) (a).

SECTION 5. 16.957 (2) (d) 2m. of the statutes is repealed.

(END)